

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

HANS SCHULLER §
§
V. § CASE NO. 4:11-cv-00297
§
COMMISSIONER OF SOCIAL §
SECURITY ADMINISTRATION §

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On March 5, 2013, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that the decision of the Administrative Law Judge be REMANDED for further consideration by the ALJ to consider the VA's decision, assign weight to such decision or explain why he does not, and discuss the opinions of Benning and Rasile and accord whatever weight he determines according to Agency rules.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, the decision of the Administrative Law Judge is REMANDED for further consideration by the ALJ to consider the VA's decision, assign weight to such decision or explain why he does not, and discuss the opinions of Benning and Rasile and accord whatever weight he determines according to Agency rules.

IT IS SO ORDERED.

SIGNED this the 26th day of March, 2013.



RICHARD A. SCELL
UNITED STATES DISTRICT JUDGE